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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 TRSE-00 /059 W
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R 110914Z JAN 78
FM USMISSION USBERLIN
TO SECSTATE WASHDC 6006
INFO AMEMBASSY BERLIN
AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L USBERLIN 0073

E.O. 11652: GDS
TAGS: PGOV, BQG
SUBJECT: STOBBE COMMENTS ON BECOMING BUNDESRAT PRESIDENT

BEGIN SUMMARY: IN INTERVIEW WITH DEUTSCHLANDFUNK JANUARY 1, GOVERNING MAYOR STOBBE STATED HE IS CERTAIN WESTERN ALLIES WILL HAVE NO BASIS FOR OBJECTING TO HIS ASSUMING POSITION OF BUNDESRAT PRESIDENT IN FALL OF 1978. UNCHARACTERISTICALLY, STOBBE MISQUOTED ALLIED INTERPRETATION OF QA WHEN HE SAID HE MAY SERVE AS ACTING FRG PRESIDENT SO LONG AS HE DOES NOT PERFORM OFFICIAL ACTS IN REPEAT IN BERLIN. END SUMMARY.

1. DURING COURSE OF BRIEF INTERVIEW WITH DEUTSCHLANDFUNK ON THE OCCASION OF THE NEW YEAR, BERLIN GOVERNING MAYOR DIETRICH STOBBE COMMENTED BRIEFLY ON HIS BECOMING BUNDESRAT PRESIDENT IN THE FALL OF 1978. ASKED IF HE FELT THE ALLIES HAD ANY RESERVATIONS ABOUT HIS ASSUMING THIS POSITION WHICH WILL INEVITABLY MEAN HE WILL AT SOME POINT BECOME THE ACTING PRESIDENT OF THE FEDERAL REPUBLIC, STOBBE RESPONDED THAT "HE SEES NO GREAT PROBLEMS (IN THIS CONFIDENTIAL

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REGARD)." STOBBE CONTINUED THAT THE FRG PRESIDENT SCHEEL IS OFTEN IN BERLIN, AND WHAT IS IMPORTANT IS "THAT HE CARRIES OUT NO OFFICIAL ACTS HERE." STOBBE THEN CONCLUDED, "THIS WOULD APPLY EQUALLY WELL FOR A REPRESENTATIVE (VERTRETER)." THE DEUTSCHLANDFUNK INTERVIEWER THEN PRESSED STOBBE AND ASKED AGAIN IF HE FORESAW ANY LIKELIHOOD THAT THE THREE PROTECTING POWERS WOULD INTERVENE

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OR PROTEST THIS DEVELOPMENT. STOBBE RESPONDED THAT THE DID NOT EXPECT A WESTERN PROTEST BECAUSE HIS ASSUMPTION OF THE POSITION OF BUNDESRAT PRESIDENT (AND ULTIMATELY ACTING FRG PRESIDENT), WOULD ALL OCCUR ACCORDING TO ACCEPTED FORM. STOBBE WENT ON TO NOTE, HOWEVER, THAT THE "OTHER SIDE" MIGHT POLEMICIZE ON THIS ISSUE. STOBBE DID NOT EXPECT THAT AN EASTERN REACTION WOULD REPRESENT A MAJOR PROBLEM FOR THE SECURITY OF THE CITY.

2. STOBBE'S INTERVIEW RECEIVED SCANT ATTENTION IN THE BERLIN PRESS, GARNERING ONLY A MEDIUM-SIZED PARAGRAPH IN TAGGESPIEGEL WHICH WAS BASED ON AN EQUALLY BRIEF DPA SUMMARY OF THE INTERVIEW. FULL TEXT OF THE TWO-PAGE IN-TERVIEW POUCHED TO BONN AND THE DEPARTMENT (EUR/CE).

3. COMMENT: INCREASINGLY, PEOPLE ARE BEGINNING TO FOCUS ON THE FACT THAT GOVERNING MAYOR STOBBE WILL ASSUME THE POSITION OF BUNDESRAT PRESIDENT NEXT FALL. IN THAT POSITION, HE WILL, OF COURSE, BE CALLED UPON TO SERVE AS ACTING FRG PRESIDENT WHEN PRESIDENT SCHEEL IS OUT OF THE COUNTRY. THE DELICATE LEGAL AND POLITICAL QUESTION OF STOBBE'S SERVING AS ACTING FRG PRESIDENT WILL BECOME A MATTER OF INCREASING INTEREST IN THE COMING MONTHS. CENTRAL TO SUCH DISCUSSIONS WILL BE THE QUESTION WHETHER, AS ACTING PRESIDENT, STOBBE WILL BE PERMITTED TO PERFORM OFFICIAL ACTS WHILE PHYSICALLY PRESENT IN CONFIDENTIAL

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BERLIN. THE SOVIETS WILL, OF COURSE, ARGUE IN THE NEGA-TIVE, EVEN THOUGH THE OFFICIAL ALLIED INTERPRETATION OF THE QA (CONTAINED IN THE LETTER OF THE THREE AMBASSADORS TO THE FEDERAL CHANCELLOR) SPECIFICALLY STATES THAT PRO-HIBITED FEDERAL ACTIVITIES ARE THOSE "IN EXERCISE OF DIRECT STATE AUTHORITY OVER, REPEAT OVER, THE WESTERN SECTOR OF BERLIN." STRICTLY SPEAKING, THEREFORE, THE LOCUS OF THE FEDERAL ACT IS UNIMPORTANT. IT IS UNFORTUNATE THAT IN HIS INTERVIEW, STOBBE MISINTERPRETED THE QA WITH REGARD TO THIS CRITICAL PASSAGE. ON THE OTHER HAND, FROM A PRACTICAL POINT OF VIEW, HE IS QUITE CORRECT. THE SOVIETS WILL ALMOST CERTAINLY OBJECT TO HIS PERFORM-ING ANY STATE ACT AS FEDERAL PRESIDENT WHILE IN BERLIN, WHETHER LEGALLY PERMISSIBLE OF NOT. GEORGE

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TAGS: PGOV, BQG
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